

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 844, A bill to be entitled "An Act to allow Office and Traveling Expense of the Superintendents of Public Instruction in each county in Texas having a population of not less than 18,755 nor more than 18,765 according to the Federal Census of 1930; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 148, A bill to be entitled "An Act to fix the jurisdiction of the Juvenile Court in Cameron County for the 103rd Judicial District of Texas, to divest such jurisdiction from the Criminal District Court of Cameron County, County Court of Cameron County at Law, and the County Court of Cameron County; Providing for the fixing of the compensation of the Judge for the additional duties so provided for the District Court of Cameron County for the 103rd Judicial District of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 200, a bill to be entitled "An Act fixing the salary of the County Superintendent of Public Instruction in a certain class of coun-

ties according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We your Committee on State Affairs, to whom was referred

H. B. No. 111, a bill to be entitled "An Act amending Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature, providing for open season on squirrels in certain counties; Providing penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment.

MOORE, Chairman.

Committee Amendment.

Amend House Bill No. 111 by adding after the word "Anderson" in line 11 of Section 1, the following: "Brazoria and Matagorda".

NINETEENTH DAY.

Senate Chamber,

Austin, Texas, Feb. 6, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Stevenson.

Thomason. Woodul.
Williamson. Woodward.
Woodruff.

Absent—Excused.

Holbrook. Pollard.
Parr. Small.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Russek:

S. B. No. 240, A bill to be entitled "An Act to amend Article 396, Revised Civil Statutes of Texas, 1925, by adding thereto Sub-divisions A and B requiring bank and trust companies to segregate assets held in a fiduciary capacity from the general assets of the bank, to keep a separate set of books and records showing in detail all transactions engaged in under Article 396, Revised Civil Statutes of Texas, 1925, providing that funds deposited or held in trust awaiting investment shall be carried in a separate account and not to be used by the bank in the conduct of its business unless it shall first set aside in the trust department United States bonds or other securities approved by the State Banking Board, and giving the owner of the funds held in trust for investment a lien on such bonds or securities in addition to their claim against the bank, making it unlawful for any bank and trust company to lend any trust funds to any officer, director or employee and for any such parties to borrow any such trust funds, and providing a penalty therefor."

Read and referred to the Committee on Banks and Banking.

By Senator Oneal:

S. B. No. 241, A bill to be entitled "An Act to amend Title 23 of the Revised Civil Statutes of Texas of 1925, entitled "Brands and Trade-marks," by adding thereto Articles

851-A and 851-B providing for the cancellation of the filing of and withdrawal from registration, by the Secretary of State, labels, trade-marks, designs, devices, imprints or forms of advertisement heretofore or hereafter filed in accordance with Article 851 of the Revised Civil Statutes of Texas of 1925, and providing for the registration of similar or identical labels, trade-marks, designs, devices, imprints or forms of advertisement by others; and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Martin:

S. B. No. 242, A bill to be entitled "An Act providing for the preparation and distribution of mimeographed or similar copies of all of the proceedings of every meeting of the Highway Commission, and for certifying to and for the admission of copies of such proceedings as evidence, and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senator Martin:

S. B. No. 243, A bill to be entitled "An Act amending Sections 3, 5, 6, (a) 8, 9, 13, 13a, 17 (b), Chapter 314, Acts of the Regular Session of the 41st Legislature, and amending Section 13a, of said Chapter, by adding thereto Section 13b, regulating the maximum tonnage to be hauled by Class "A" and Class "B" carriers for any motor truck, trailer, or combination of both, and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

By Senator Woodul:

S. B. No. 244, A bill to be entitled "An Act to give and grant to O. Luthe leave and permission to prosecute in the proper Courts of Harris County, Texas, suit or suits against the State of Texas and the members of the Texas Prison Board, in their official capacity only, for damages sustained by reason of a collision between his truck and a truck of the Texas Prison System on or about November 20, 1929; and declaring an emergency."

Read and referred to the Committee on Penitentiaries.

By Senator Beck:

S. B. No. 245, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experimental Station; the North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; The University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton; Sam Houston State Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; the Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos; Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind and Texas School for the Deaf; for years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

Read and referred to the Committee on Finance.

By Senator Beck:

S. B. No. 246, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1931, and ending August 31, 1933, as follows, to-wit: Abilene State Hospital; Austin State School; Austin State Hospital; Confederate Home; Confederate Woman's Home; Dallas State Hospital; Deaf, Dumb, and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphan Home; Rusk State Hospital; San Antonio State Hospital; Galveston State Psychopathic Hospital; Terrell State Hospital; State Tuberculosis

Sanatorium; Wichita Falls State Hospital; Colored Orphans Home at Gilmer; Alabama and Coushatti Indians in Polk County, Texas; and declaring an emergency."

Read and referred to the Committee on Finance.

By Senator Williamson:

S. B. No. 247, A bill to be entitled "An Act providing for the creation and maintenance of an institution for the care, treatment and confinement of delinquent, neglected, affected, feeble-minded and crippled negro children, making an appropriation, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Greer:

S. B. No. 248, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to pay out of Rural Aid Funds heretofore appropriated by the 41st Legislature or out of funds to be appropriated by the 42nd Legislature, certain sums of money as reward for consolidation to the Powell Consolidated School District; the Brownsboro Independent School District; the Elkhart Independent School District; the Scurry-Rosser Consolidated School District and the Slocum Consolidated School District by adding to Chapter 14, Section 8-D, carrying out the hereinbefore mentioned purpose and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

By Senators Stevenson and Parrish:

S. B. No. 249, A bill to be entitled "An Act regulating the slaughter and sale of the meat of animals for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State, shall file a bond to be approved by the county judge of the county in which he desires to carry on such business setting out the terms of said bond and providing penalties for violation thereof, and repealing all laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Stock and Stock Raising.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senators Small and Parr, on motion of Senator Hornsby.

Senators Holbrook and Pollard, on motion of Senator Woodul.

Executive Session Set.

On motion of Senator Woodul, the Senate voted to go into executive session at 11:40 o'clock a. m., Monday, February 9.

Consent to Substitute Bill.

Senator Purl received unanimous consent to substitute a corrected copy for S. B. No. 26, originally introduced January 15, 1931, for which no hearing had as yet been ordered.

Simple Resolution No. 36.

Senator Neal sent up the following resolution:

Whereas, the mid-winter session of the State Press Association is meeting in this city to-day and to-morrow, and

Whereas, the Press is a potent force in crystallizing sentiment, and in influencing legislation for the best interests of the State, and

Whereas, the work of the Press differs but little from that of the legislative department of the State Government, and, therefore, a bond of sympathy exists between the two, and

Whereas, the Senate of Texas feels that it will be honoring itself when it honors the Press of the State by inviting them to the halls of the Senate.

Now, Therefore, Be It Resolved, that an invitation be extended to the State Press Assn., to visit the Senate at 2 p. m., to-day, and that after the officers are presented to the Senate that an informal reception be held in their honor.

Neal, Hardin, Moore, Hornsby, Parrish and Woodruff.

Read and adopted.

Senate Bill No. 46.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 46, A bill to be entitled "An Act providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than three hundred thousand population, fixing their duties and salaries, and term of office and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 46 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

Holbrook.	Pollard.
Parr.	Small.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

Holbrook.	Pollard.
Parr.	Small.

Senate Bill No. 200.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cousins:

S. B. No. 200, A bill to be entitled "An Act fixing the salary of the County Superintendent of Public Instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for County Superintendent under the laws of this State; declaring an emergency."

Read second time and, on motion of Senator Martin, laid on the table subject to call.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 43, A bill to be entitled "An Act authorizing the appointment of an investigator in Tom Green county Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expenses allowed him, and providing a method for the payment thereof, and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act making it a misdemeanor to use a telephone in the office, place of business or home of another person, firm or corporation for long-distance conversation and have the charges, fees and tolls therefor charged to the person, firm or corporation in whose name the telephone so used is registered without the consent of the person, firm or corporation in whose name such telephone is registered, and prescribing a penalty therefor, and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act making it an offense for a person to cohabit with a husband or wife which he has married without the State when such person has liv-

ing at such time another husband or wife, providing for a penalty and things incidental thereto, and declaring an emergency."

H. B. No. 180, A bill to be entitled "An Act making it a felony to threaten to take the life of any human being or to inflict serious bodily injury or to burn, injure or destroy any property of any person in order to extort money or anything of value from the person threatened; providing for the penalty therefor, and declaring an emergency."

H. B. No. 192, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Hays county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act defining the offense of kidnapping for extortion, ransom or robbery, and prescribing the punishment."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 3, Providing for the appointment of a committee to ascertain certain facts regarding road hands.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions.

S. C. R. No. 13, Thanking Miss Tillie Robertson for the old French Embassy.

S. C. R. No. 10, Expressing appreciation and gratitude for the hospitality and consideration extended to the members of the Legislature

on their recent visit to Houston, Texas.

(With amendment.)

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 37.

Senator Woodul sent up the following resolution:

Whereas, Hon. Oscar Holcombe former Mayor of Houston, Texas is within the Capitol.

Therefore, Be it Resolved that he be invited to address the Senate and be accorded the privileges of the floor.

WOODUL.
HORNSBY,

The resolution was read and adopted.

Former Mayor Holcombe Speaks.

The Chair appointed Senators Woodul, Purl, and Hornsby to escort Mr. Holcombe to the platform.

The Chair introduced Senator Woodul, who introduced Mr. Holcombe. Mr. Holcombe briefly addressed the Senate.

Permission to Consider Bill.

On motion of Senator Oneal, the Senate, by a four-fifths vote, granted the Committee on Criminal Jurisprudence permission to consider and report on S. B. No. 141.

H. C. R. No. 3.

The Chair laid before the Senate:

H. C. R. No. 3, Relating to information concerning county road warrants and bonds.

Read and referred to Committee on Highways and Motor Traffic.

House Bills Referred.

H. B. No. 244 referred to Committee on Criminal Jurisprudence.

H. B. No. 192 referred to Committee on State Affairs.

H. B. No. 180 referred to Committee on Criminal Jurisprudence.

H. B. No. 50 referred to Committee on Criminal Jurisprudence.

H. B. No. 43 referred to Committee on Judicial Districts.

H. B. No. 41 referred to Committee on Criminal Jurisprudence.

Recess.

On motion of Senator Moore, the Senate, at 10:47 o'clock a. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Edgar E. Witt.

Motion to Concur.

On motion of Senator Woodul, the Senate voted to concur in the House amendment to S. C. R. No. 10.

At Ease.

At 2:04 o'clock p. m., the Senate stood at ease subject to the call of the Chair.

Permission to Insert Enacting Clause.

On motion of Senator Williamson, the Senate unanimously consented to the insertion of the enacting clause in S. B. No. 148, which was omitted through clerical error.

Texas Press Association Visits.

The Chair, Lieutenant Governor Edgar E. Witt, briefly welcomed the visiting members of the Texas Press Association as guests of the Senate.

The Chair introduced former Lieutenant Governor Will A. Mayes, who briefly addressed the Senate and introduced Mr. Ray Nichols, President of the Texas Press Association.

Mr. Nichols briefly addressed the Senate and extended to the Senate an invitation to attend the annual convention of the Association in June at San Angelo.

Mr. Mayes introduced Mr. Sam P. Harben, secretary of the Association.

Mr. Mayes introduced Mrs. Lee J. Rountree, editor of the Bryan Eagle and member of the House of Representatives. Mrs. Rountree briefly addressed the Senate.

Mr. Mayes introduced Mr. J. H. Lowrie, of Honey Grove, who briefly addressed the Senate.

Mr. Mayes introduced Mr. Lowrie Martin, of Corsicana, who briefly addressed the Senate, repeating the invitation to attend the annual convention of the Association in June.

Lieutenant Governor Witt introduced Senator Neal, who briefly addressed the Senate.

Senators Hardin, Patton, Berkeley, Stevenson and Purl introduced various visiting representatives of the press.

Adjournment.

On motion of Senator Williamson, the Senate, at 3:05 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Judicial Districts to whom was referred

S. B. No. 172, A bill to be entitled "An Act to reorganize the 4th Judicial District of Texas to be constituted of Rusk county, Texas, only and to provide for the terms thereof, and to create the 123rd Judicial District of Texas to be composed of the counties of Panola and Shelby; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

PATTON, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred S. B. Nos. 14, 102, 228 and 218, recommend that these bills be printed.

STEVENSON, Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 87, A bill to be entitled "An Act to amend Article 2624, Title 49, Chapter 5, of the Revised Civil Statutes of 1925, changing the

name of the College of Industrial Arts to "Texas College for Women" and repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

TWENTIETH DAY.

Senate Chamber,
Austin, Texas.

February 9, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Hardin.	Small.
Moore.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Oneal:

S. B. No. 250, A bill to be entitled "An Act providing no motion, suit, action, defense, or appeal of any party to a suit shall hereafter ever